

# HOUSE BILL No. 1106

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 8-15-3-27; IC 9-19-3-9.

**Synopsis:** Use of brakes on the toll road. Requires the department of transportation to adopt rules for the regulation of controls for the operation of brakes on a trailer when a motor vehicle is using the Indiana toll road. Requires brakes on a motor vehicle to be adequate to control the movement of and to stop and hold to the limit of traction of a vehicle or combination of vehicles under all conditions of loading on any grade on which it is operated.

**Effective:** Upon passage; July 1, 2000.

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**Cheney**

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January 10, 2000, read first time and referred to Committee on Roads and Transportation.

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Second Regular Session 111th General Assembly (2000)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1999 General Assembly.

# HOUSE BILL No. 1106



A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 8-15-3-27 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 27. **(a) As used in this**  
3 **section, "service brake" means the primary system or mechanism**  
4 **designed to retard or stop a motor vehicle.**

5 **(b)** Notwithstanding IC 9, the department may adopt rules under  
6 IC 4-22-2 for the following:

7 (1) Establishing weight and size limitations for vehicles using a  
8 tollway, subject to the following:

9 (A) The operator of any vehicle exceeding any of the  
10 maximum allowable dimensions or weights must apply to the  
11 department in writing for an application for a special hauling  
12 permit. The application must be received at least seven (7)  
13 days before the time of desired entry. A permit, if granted,  
14 shall be given to the applicant in duplicate, properly  
15 completed, and numbered. The driver of the vehicle must have  
16 a copy to present to the toll attendant on duty at the point of  
17 entry to the tollway.



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1 (B) The department shall assess a fee for issuing a special  
 2 hauling permit. In assessing the fee, the department shall take  
 3 into consideration the following factors:

4 (i) The administrative cost of issuing the permit.

5 (ii) The potential damage the vehicle represents to the  
 6 project.

7 (iii) The potential safety hazard the vehicle represents.

8 (2) Establishing the speed at which a vehicle may be driven on a  
 9 tollway, including a minimum speed and a maximum speed not  
 10 in excess of the maximum provided in IC 9 for the interstate  
 11 defense network of dual highways.

12 (3) Designating one-way traffic lanes on a tollway.

13 (4) Determining the manner of operation of vehicles entering and  
 14 leaving traffic lanes on a tollway.

15 (5) Determining the regulation of U-turns, of crossing or entering  
 16 medians, of stopping, parking, or standing, and of passing  
 17 vehicles on a tollway.

18 (6) Determining the establishment and enforcement of traffic  
 19 control signs and signals for vehicles in traffic lanes, acceleration  
 20 and deceleration lanes, toll plazas, and interchanges on a tollway.

21 (7) Determining the limitation of entry to and exit from a tollway  
 22 to designated entrances and exits.

23 (8) Determining the limitation on use of a tollway by pedestrians  
 24 and aircraft and by vehicles of a type specified in the rules.

25 (9) Regulating commercial activity on tollways, including the  
 26 following:

27 (A) The offering or display of goods or services for sale.

28 (B) The posting, distributing, or displaying of signs,  
 29 advertisements, or other printed or written material.

30 (C) The operation of a mobile or stationary public address  
 31 system.

32 **(c) Notwithstanding IC 9, the department shall adopt rules**  
 33 **under IC 4-22-2 for determining the regulation of controls for the**  
 34 **operation of brakes on a trailer when a motor vehicle is using the**  
 35 **Indiana toll road. These rules must include the prohibition of the**  
 36 **use of the additional control instead of the service brake system**  
 37 **whenever a motor vehicle is equipped with an additional control to**  
 38 **operate the brakes on a trailer, except in the case of failure of the**  
 39 **service brake system.**

40 SECTION 2. IC 9-19-3-9 IS AMENDED TO READ AS FOLLOWS  
 41 [EFFECTIVE JULY 1, 2000]: Sec. 9. All brakes must:

42 (1) be maintained in good working order;



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1           **(2) be adequate to control the movement of and to stop and**  
 2           **hold to the limit of traction of a vehicle or combination of**  
 3           **vehicles under all conditions of loading on any grade on which**  
 4           **it is operated; and**  
 5           **(3) must** be adjusted so as to operate as equally as practicable  
 6           with respect to the wheels on opposite sides of the vehicle.  
 7           SECTION 3. [EFFECTIVE UPON PASSAGE] **(a)**  
 8           **Notwithstanding IC 8-15-3-27, as amended by this act, the**  
 9           **department of transportation shall carry out the duties imposed**  
 10           **upon it by IC 8-15-3-27, as amended by this act, under interim**  
 11           **written guidelines approved by the commissioner.**  
 12           **(b) This SECTION expires on the earlier of the following:**  
 13           **(1) The date rules are adopted under IC 8-15-3-27, as**  
 14           **amended by this act.**  
 15           **(2) December 31, 2000.**  
 16           SECTION 4. **An emergency is declared for this act.**

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